

**FILED**  
DISTRICT COURT OF GUAM

JOHN T. GORMAN  
Federal Public Defender  
First Hawaiian Bank Building  
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Mongmong, Guam 96910  
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JUL - 7 2005 P

**MARY L.M. MORAN**  
**CLERK OF COURT**

(9)

Attorney for Defendant  
MATTHEW N. BIGGERS

IN THE UNITED STATES DISTRICT COURT

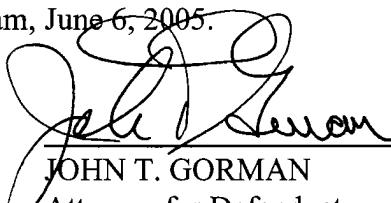
FOR THE TERRITORY OF GUAM

|                           |                                 |
|---------------------------|---------------------------------|
| UNITED STATES OF AMERICA, | ) MG 05-00024                   |
|                           | )                               |
| Plaintiff,                | ) MOTION TO SCHEDULE CHANGE OF  |
|                           | ) PLEA HEARING AND VACATE TRIAL |
| vs.                       | ) DATE; CERTIFICATE OF SERVICE  |
|                           | )                               |
| MATTHEW N. BIGGERS,       | )                               |
|                           | )                               |
| Defendant.                | )                               |
|                           | )                               |

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COMES NOW the defendant, MATTHEW N. BIGGERS, through counsel, John T. Gorman, Federal Public Defender, and moves this Honorable Court to schedule a time for defendant's change of plea from not guilty to guilty and to vacate the trial date currently scheduled for August 16, 2005. There is no written plea agreement in this case. Defendant requests a date before July 13, 2005, as defense counsel will off-island from July 13, 2003 - August 3, 2005.

DATED: Mongmong, Guam, June 6, 2005.

  
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JOHN T. GORMAN  
Attorney for Defendant  
MATTHEW N. BIGGERS

**CERTIFICATE OF SERVICE**

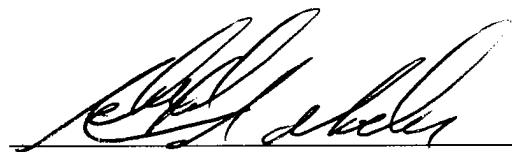
I, ALEXANDER A. MODABER, hereby certify that a true and exact copy of the foregoing document was duly mailed and/or hand-delivered to the following on June 6, 2005:

STEVE CHIAPPETTA  
Special Assistant United States Attorney  
Sirena Plaza  
108 Hernan Cortez, Ste. 500  
Hagatna, Guam 96910

Attorney for Plaintiff  
UNITED STATES OF AMERICA

F. MICHAEL CRUZ  
Chief U.S. Probation Officer  
U.S. Probation Office  
Districts of Guam and NMI  
2<sup>nd</sup> Floor, U.S. District Court

DATED: Mongmong, Guam, June 6, 2005.



ALEXANDER A. MODABER  
Investigator

JOHN T. GORMAN  
Attorney for Defendant  
MATTHEW N. BIGGERS